

IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS

STATE OF ARKANSAS

PLAINTIFF

v.

W/M Joseph A. Stroud (DOB 08/01/1941)

██████████
14479 Mariano Road
Bentonville AR, 72712

CR-20-1787
DEFENDANT

2020 AUG -8 AM 2:55
BRENNA DESHELDS
CLERK AND RECORDER
BENTON COUNTY, AR

FILED

AFFIDAVIT OF PROBABLE CAUSE TO OBTAIN AN ARREST WARRANT

COMES NOW **Brian Michael Stamps**, POLICE OFFICER FOR AND OF THE CITY OF PEARIDGE ARKANSAS, AND UNDER OATH DOETH STATE:

On Friday, July 31, 2020, at approximately 12:56 pm, I was asked to go to the Pea Ridge Schools administration building, at 979 Weston Street, to take a report. I was to contact Shannon Nobles.

When I arrived, I contacted Shannon. She said, around May 31, 2020, she and her family began finding dead animals on the headstone or on the grave of their grandfather Fred Allen McKinney. At first, they thought it was just a coincidence and thought maybe the animals were consuming the fake floral and dying. When they began finding more dead animals, they realized it wasn't just a coincidence, someone was placing the dead animals there purposefully. With the cemetery management's permission, they decided to set up a couple of game cameras pointing towards their grandfather's headstone. Over the next few months, they captured several images of a subject walking up to the headstone with a dead animal in hand, place the dead animal on the headstone, and walk back to his vehicle. The vehicle was also captured in the images. The vehicle was a gray, newer model Dodge Journey. The subject that was in the pictures appeared to be an elder white male wearing denim overalls and blue slip-on shoes with a white sole. The subject also appears to be trying to disguise himself because he is wearing a teal and white woman's windbreaker jacket, sunglasses, and a woman's wig (Picture from 06/30/2020).

One day, when Shannon was driving by the cemetery, she noticed a grey Dodge Journey leaving the cemetery and she decided to follow it. The vehicle pulled into the Wal-Mart Neighborhood Market parking lot. Shannon started taking pictures and video of the vehicle and the person that got out. When the man got out of the vehicle, Shannon immediately recognized

him as someone her grandparents knew. She identified him as Joseph Stroud. Joseph Stroud and Fred McKinney had farms next to each other with a shared boundary for several years. The tag on the vehicle was Arkansas vehicle license plate 660ZAK which returns to a gray 2018 Dodge Journey registered to Joseph Stroud. Joseph was wearing a button-up blue and white plaid shirt, blue jeans, and blue slip-on shoes with white soles that looked exactly like the ones that were in the pictures. Shannon said Joseph Stroud's wife is buried not far from Fred in the same line of headstones. Shannon said since this has started, they have removed approximately 16 dead animals from their grandfather's grave. They have taken several pictures of the animals they have had to remove. One animal, which was draped over the corner of the headstone, stained the headstone brown. Shannon said when she was on her morning run this morning, she saw Joseph leave the cemetery in his grey Dodge Journey. She immediately went over to check her grandfather's grave and found a dead possum sitting on it with 8 live babies inside one of the flower vases that are attached to the sides. Shannon said she immediately called to have it reported.

Shannon is employed by the Pea Ridge Schools and asked that I meet her at the Administration building because they could pull the video from the Pea Ridge Middle School which has a camera pointed towards the cemetery.

It should be noted that Shannon's game camera time is approximately 4 minutes faster than the school's camera.

In the video at 10:05 am, a gray Dodge Journey enters the video traveling southbound on Weston Street. The vehicle turns east onto Hill Lane and travels down to the Dodge Street intersection where it stops. A subject gets out of the vehicle, opens the rear hatch, closes it, and walks north into the cemetery. At 10:08 am, the man returns to the vehicle, gets in, and turns south onto Dodge Street.

Shannon's game camera took 5 pictures at 10:11 am. The pictures show an elderly male subject wearing a blue and red, plaid, short sleeve, button-up shirt, denim overalls, camo boots, a wig, and glasses. The 5 images show the subject walk up to the headstone with a dead possum in his hand, he lays the dead possum in front of the headstone, and the subject walks away. The subject in these pictures, with exclusion to the wig, did not try to make it appear he was a woman.

I asked Shannon if Joseph and Fred had any problems as neighboring farmers. Shannon said yes many. Shannon said Joseph and Fred never got along with each other and there was even a lawsuit between them where she thought Joseph had lost.

I obtained a copy of the school's video and asked Shannon to email me all the pictures she had.

Shannon then led me to the cemetery and her grandfather's headstone. Shannon pointed to it as she drove by it but did not stop because she did not want Joseph to see her out with me at the cemetery.

I stopped to take pictures and get a layout of the cemetery. Shannon's grandfather's headstone is in the first row of headstones on the west side of Dodge Street as it continues north through the cemetery. Joseph Stroud's wife's headstone is in the same row. Starting from the south end of the row, her headstone is approximately 5 plots north. From her headstone, continuing north, Fred McKinney's headstone is approximately 10 plots further. Their headstones are approximately 30 feet apart from each other in the same row.

I returned to the PD where I downloaded the pictures Shannon had. I compared one of the pictures with the subject wearing the woman's jacket to a picture that was taken of Joseph at the Walmart Neighborhood Market. The shoes worn by both subjects in both pictures are the same. In the picture with the woman's jacket, I could see the collar of the shirt that was being worn underneath it. It appeared to be a blue and white plaid shirt and it was exactly like the one Joseph was wearing in the Walmart picture.

Joseph Stroud had an address of 14479 Mariano Road just outside of our city. I asked Officer Lawson to go with me and try to make contact with Joseph Stroud. If we were able to make contact, I was going to ask him to come down to the police department (PD) for an interview.

When we arrived at 14479 Mariano Road, I spotted the grey 2018 Dodge Journey (bearing ARVL 660ZAK). As we walked up to the house, I looked in the back window of the Journey and spotted a bath towel spread out. On the bath towel were some red stains which appeared to be blood. I pressed the camera of my phone up against the window and took a picture of it. I then walked up to the front door and knocked. Joseph answered the door. Joseph was wearing a blue, red, and white striped button-up shirt, blue denim overalls, and the blue slip-on shoes with the white soles. I identified myself to Joseph, told him I was investigating a case that he has been named in and asked if he could come down to the PD so I could ask him some questions in a video/audio recorded room. I have found through experience that most people would want to know and asked what this was about, which he did not. Joseph said ok, I can head that way right now. I told Joseph we would meet him there.

off at the end of that sentence and told him I did not believe what he was telling me. I told him I felt like he was trying to come up with excuses to explain the few things of evidence we gave him. I again told him I knew beyond a shadow of a doubt he was the suspect and the situation was going to proceed one of two ways. I told him we could go into the interview room where he could tell me nothing else but the truth about what happened. If he did that, I could contact the PA and give him a court date where he could tell his story to a judge. I told him if he did not want to do that then I was going to create a warrant for his arrest. I asked Joseph if he wanted to go into the interview room. He said "no I'm not going to tell you it was me because it wasn't". I told him he needed to get in his vehicle and leave then.

As he walked to his vehicle, I told Joseph if he changed his mind and wanted to talk about what happened, he could come back and talk to me.

The charge being sought in this case is Defacing Objects of Public Respect. This charge classification is a Class A Misdemeanor if the cost of repairing/replacing does not exceed \$500. If the cost of repairing/replacing exceeds \$500, the charge would become a felony and the exact dollar amount would determine the classification.

I contacted Shannon and asked them if they could get an estimate as to what it would cost to either have the headstone cleaned or replaced if it could not be fixed. Shannon said she would.

A few minutes later, Shannon called me back and said she talked to Jeff Spivey, the Funeral Director for the Sisco Funeral Home here in Pea Ridge. Jeff was going to meet with her at 8:00 am, on August 4, 2020, at the headstone and he was going to bring his headstone person, Tony Bertschy, to see if it could be cleaned.

At approximately 10:00 am on August 4, 2020, I received a message from Shannon. She said Jeff Spivey wanted to meet with me about her Grandfather's headstone.

I went to the Sisco Funeral Home and met with Jeff Spivey. Jeff said he and his headstone guy (Bertschy) inspected the headstone. Several places on the headstone had been stained brown and darkened. Jeff went on to explain that the oil from the decaying animals had soaked into the marble that made up the headstone and that an estimated 200 dollar cleaning would not be effective since the stain had gone in beyond the surface. Jeff said it was in his and Bertschy's opinion that the only fix to the damage would be a total headstone replacement. I asked Jeff if he would provide me with a letterhead that stated his findings. He said he would. Jeff then told me it was this funeral home that sold the headstone to the family. Jeff said he

could provide me with a copy of the original receipt and what it would cost to replace the headstone in today's market.

On August 5, 2020, I obtained the letter, a copy of the original purchase receipt, and the quote for a new headstone from Jeff Spivey. The cost of the headstone when it was originally purchased on October 2, 2015, was \$1,892.24. The cost to replace the headstone in today's market is \$2,529.45.

Criminal history:

None

THEREFORE, based on the foregoing, the State joins me in requesting that an arrest warrant be issued for W/M Joseph A. Stroud for the offenses of:

- Defacing Objects of Public Respect §5-71-215 Class B Felony.

I swear that the allegations contained herein are the truth, the whole truth, and nothing but the truth.

Witness my hand this 6 day of August, 2020.


Affiant's Signature

Brian Michael Stamps
Affiant's Printed Name

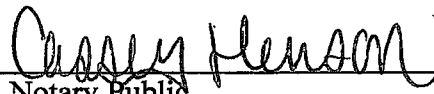
187 Slack street
Pea Ridge, AR 72751
Affiant's Address

479-451-0328
Affiant's Telephone Number

STATE OF ARKANSAS

COUNTY OF BENTON

Subscribed and sworn to before me this 6 day of August, 2020.


Notary Public

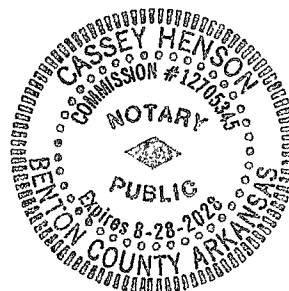
MY COMMISSION EXPIRES:

8/28/2028

APPROVED:

Seth Shaw

Deputy Prosecuting Attorney



IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS

STATE OF ARKANSAS

PLAINTIFF

v.

W/M Joseph A. Stroud (DOB 08/01/1941)

DEFENDANT

ARDL: [REDACTED]

14479 Mariano Road

Bentonville AR, 72712

ORDER

I hereby find that this sworn affidavit demonstrates reasonable and probable cause for the issuance of a warrant of arrest for the above-named individual for the offense of: Defacing Objects of Public Respect §5-71-215 Class B Felony. and I hereby direct the Benton County Circuit Clerk to issue said warrant.



JUDGE *Brad Karren*

8-6-2020

DATE

BRENDA DESHIELDS
CLERK AND RECORDER
BENTON COUNTY, AR

2020 AUG -8 AM 2:55

FILED